

REMARKS

The Examiner's Action mailed on May 4, 2006, has been received and its contents carefully considered.

In this Amendment, Applicants have editorially amended claims 1-3. Claims 1 and 2 are the independent claims, and claims 1-3 remain pending in the application. For at least the following reasons, it is submitted that this application is in condition for allowance.

Applicants wish to thank the Examiner for indicating allowable subject matter in claims 2 and 3. These claims have been amended to incorporate the features of base claim 1 and are allowable.

FIG. 3-5 were objected to for failing to be marked as prior art. Replacement sheets are submitted herewith, and it is therefore respectfully submitted that this objection be withdrawn.

Claims 1-3 were rejected under 35 USC §112 as indefinite. This rejection is respectfully traversed.

The claims have been extensively amended and are believed to be definite.

Claim 1 was rejected under 35 USC 103(a) as obvious over *Castonguay et al.* (US 6,037,555) in view of Applicants' FIG. 3-5. This rejection is respectfully traversed.

Claims 1 and 2 recite "an emission path along an inner wall face of said interphase barrier for arc gas created when a main contact point of said plurality of main contact points is opened or closed, the emission path having, upstream of an

emission window, a concave section at the inner wall face of the interphase barrier”.

The Office Action admits on page 3 that prior art FIG. 3-5 of the present application do not show “the concave section within the walls interphase barriers facing the contact points”.

The Office Action then asserts that “Castonguay et al. discloses a separable contact set [404, 406] within a phase of a circuit breaker [figure 2] having a concave section [414] formed by the walls of the contact chamber [figure 3]” and asserts that it would have been obvious to have included a concave section within the interphase walls of prior art FIG. 3-5 in order to precool the arc gases.

In fact, element **414** is shown only in FIG. 25 of *Castonguay et al.* (the view seen in the abstract), and is an ‘exhaust gas area’ and not a feature of a surface of a wall. The fact that element **414** is underlined and does not have a ‘leadline’ associated therewith shows that it refers to the area in which it is written, as per 37 CFR §1.84(q). See column 7, lines 44-51 of *Castonguay et al.*: “Referring to FIG. 25, a cross section of the rotary break circuit breaker cassette **400** is illustrated schematically with a rotor **402** contacts **404** and **406**, load strap **408** and load terminal strap **410** shown. Also shown is an *exhaust gas area* **414** and a port **416**. As will be understood the cassette **400** is generally conventional and it is the

current transformer housing and vent channels that provides the inventive venting arrangement.”(*emphasis added*).

Assuming that the Office Action was referring to the part of the wall adjacent to the legend **414** in FIG. 25, this is not in fact concave, but merely an incline or ramp in a transitional area between exhaust gas area **414** and port **416**. Hence, the inner wall of cassette **400** does not first expand outward and then contract inward as one moves in a downstream direction, as it would if it had a concave section therein, and nor does it have any section that could properly be construed as concave. Further, the inner wall as shown in cross-section in this view is perpendicular to the interphase wall. In any case, as *Castonguay et al.* fails to show a concave section in any wall, it cannot render the claimed invention obvious.

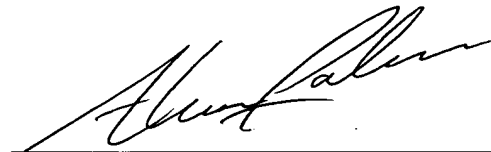
It is submitted that this application is in condition for allowance. Such action and the passing of this case to issue are requested.

Should the Examiner feel that a conference would help to expedite the prosecution of this application, the Examiner is hereby invited to contact the undersigned counsel to arrange for such an interview.

Should any fee be required, however, the Commissioner is hereby authorized to charge the fee to our Deposit Account No. 18-0002, and advise us accordingly.

Respectfully submitted,

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Date



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